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OCT 13 2004

Atty Docket No. 022024-000300US

PTO FAX NO.: (703) 872-9306

ATTENTION: Examiner Jennifer A. Boyd

Group Art Unit 1771

**OFFICIAL COMMUNICATION**  
**FOR THE PERSONAL ATTENTION OF**  
**EXAMINER Jennifer A. Boyd**

**CERTIFICATION OF FACSIMILE TRANSMISSION**

I hereby certify that the following documents in re Application of Christopher J. Stepanian, George L. Gould, Application No. 10/034,296, filed December 21, 2001 for AEROGEL COMPOSITE WITH FIBROUS BATTING are being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Documents Attached

1. Transmittal Form (1 pg.)
2. Fee Transmittal (1 pg., 1 dup.)
3. Petition for Extension of Time (1 pg., 1 dup.)
4. Amendment Under 37 CFR 1.116 Expedited Procedure Examining Group 1771 (9 pgs.)
5. Information Disclosure Statement (2 pgs.)
6. Form 1449A

Number of pages being transmitted, including this page: 18

Dated: October 13, 2004

  
Pamela Skelton


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TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, CA 94111-3834  
Telephone: 858-350-6100  
Fax: (858) 350-6111

60332300 v1

PTO/SB/21 (04-04)

|  |                      |                           |                 |
|--|----------------------|---------------------------|-----------------|
| <b>TRANSMITTAL FORM</b><br><i>(to be used for all correspondence after initial filing)</i> | Application Number   | 10/034,296                |                 |
|  | Filing Date          | December 21, 2001         |                 |
|  | First Named Inventor | Stepanian, Christopher J. |                 |
|  | Art Unit             | 1771                      |                 |
|  | Examiner Name        | Jennifer A. Boyd          |                 |
| Total Number of Pages in This Submission   | 17                   | Attorney Docket Number    | 022024-000300US |

| ENCLOSURES (Check all that apply)   |   |  |
|---|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input checked="" type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input checked="" type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input checked="" type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Response to Missing Parts/Incomplete Application<br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) | <input type="checkbox"/> After Allowance Communication to Technology Center (TC)<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br>Return Postcard |
| <b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>   |   |  |
| Firm or Individual name   | Townsend and Townsend and Crew LLP<br>Kawai Lau Reg. No. 44461  |  |
| Signature   |    |  |
| Date  | October 13, 2004  |  |

| CERTIFICATE OF TRANSMISSION/MAILING  |  |      |                  |
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| I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, Fax No. (703) 872-9306 on October 13, 2004. |  |      |                  |
| Typed or printed name  | Pamela Skelton   |      |                  |
| Signature  |  | Date | October 13, 2004 |

60332275 v1

PTO/SB/17 (10-04)

# FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 215

## Complete If Known

|                      |                           |
|----------------------|---------------------------|
| Application Number   | 10/034,296                |
| Filing Date          | December 21, 2001         |
| First Named Inventor | Stepanian, Christopher J. |
| Examiner Name        | Jennifer A. Boyd          |
| Art Unit             | 1771                      |
| Attorney Docket No.  | 022024-000300US           |

METHOD OF PAYMENT (check all that apply)  
☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit  
Account  
Number

20-1430

Deposit  
Account  
Name

Townsend and Townsend and Crew LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

| Large Entity |          | Small Entity |          | Fee Description        | Fee Paid |
|--------------|----------|--------------|----------|------------------------|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |                        |          |
| 1001         | 790      | 2001         | 395      | Utility filing fee     |          |
| 1002         | 350      | 2002         | 175      | Design filing fee      |          |
| 1003         | 550      | 2003         | 275      | Plant filing fee       |          |
| 1004         | 790      | 2004         | 395      | Reissue filing fee     |          |
| 1005         | 160      | 2005         | 80       | Provisional filing fee |          |

SUBTOTAL (1)

(\$)

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Total Claims |           | Extra Claims |           | Fee from below |              | Fee Paid |
|--------------|-----------|--------------|-----------|----------------|--------------|----------|
| Independent  | Dependent | Extra        | Dependent | Large Entity   | Small Entity |          |
|              |           |              |           |                |              |          |
|              |           |              |           |                |              |          |
|              |           |              |           |                |              |          |

| Large Entity |          | Small Entity |          | Fee Description  |
|--------------|----------|--------------|----------|--|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |  |
| 1202         | 18       | 2202         | 9        | Claims in excess of 20                                     |
| 1201         | 88       | 2201         | 44       | Independent claims in excess of 3                          |
| 1203         | 300      | 2203         | 150      | Multiple dependent claims, if not paid                     |
| 1204         | 88       | 2204         | 44       | ** Reissue independent claims over original patent         |
| 1205         | 18       | 2205         | 9        | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2)

(\$)

\*\*or number previously paid, if greater. For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES


| Large Entity |          | Small Entity |          | Fee Description  | Fee Paid |
|--------------|----------|--------------|----------|--|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |  |          |
| 1051         | 130      | 2051         | 65       | Surcharge - late filing fee or oath  |          |
| 1052         | 50       | 2052         | 25       | Surcharge - late provisional filing fee or cover sheet                     |          |
| 1053         | 130      | 1053         | 130      | Non-English specification  |          |
| 1812         | 2,520    | 1812         | 2,520    | For filing a request for ex parte reexamination                            |          |
| 1804         | 920*     | 1804         | 920*     | Requesting publication of SIR prior to Examiner action                     |          |
| 1805         | 1,840*   | 1805         | 1,840*   | Requesting publication of SIR after Examiner action                        |          |
| 1251         | 110      | 2251         | 55       | Extension for reply within first month                                     |          |
| 1252         | 430      | 2252         | 215      | Extension for reply within second month                                    | 215      |
| 1253         | 980      | 2253         | 490      | Extension for reply within third month                                     |          |
| 1254         | 1,530    | 2254         | 765      | Extension for reply within fourth month                                    |          |
| 1255         | 2,080    | 2255         | 1,040    | Extension for reply within fifth month                                     |          |
| 1401         | 340      | 2401         | 170      | Notice of Appeal   |          |
| 1402         | 340      | 2402         | 170      | Filing a brief in support of an appeal                                     |          |
| 1403         | 300      | 2403         | 150      | Request for oral hearing   |          |
| 1451         | 1,510    | 1451         | 1,510    | Petition to institute a public use proceeding                              |          |
| 1452         | 110      | 2452         | 55       | Petition to revive - unavoidable   |          |
| 1453         | 1,330    | 2453         | 665      | Petition to revive - unintentional   |          |
| 1501         | 1,370    | 2501         | 685      | Utility issue fee (or reissue)   |          |
| 1502         | 490      | 2502         | 245      | Design issue fee   |          |
| 1503         | 680      | 2503         | 330      | Plant issue fee  |          |
| 1480         | 130      | 1480         | 130      | Petitions to the Commissioner  |          |
| 1807         | 50       | 1807         | 50       | Processing fee under 37 CFR 1.17(q)  |          |
| 1806         | 180      | 1806         | 180      | Submission of Information Disclosure Sheet                                 |          |
| 8021         | 40       | 8021         | 40       | Recording each patent assignment per property (ilmas number of properties) |          |
| 1809         | 790      | 2809         | 395      | Filing a submission after final rejection (37 CFR § 1.129(a))              |          |
| 1810         | 790      | 2810         | 395      | For each additional invention to be examined (37 CFR § 1.128(b))           |          |
| 1801         | 790      | 2801         | 395      | Request for Continued Examination (RCE)                                    |          |
| 1802         | 900      | 1802         | 900      | Request for expedited examination of a design application                  |          |

Other fee (specify)

\*Reduced by Basic Filing Fee Paid SUBTOTAL (3)

(\$215

## SUBMITTED BY

| Name (Print/Type)   |  | Registration No. (Attorney/Agent) |  | Telephone        |  |
|---|--|-----------------------------------|--|------------------|--|
| Kawai Lau   |  | 44461                             |  | 858-350-8100     |  |
| Signature   |  | Date                              |  | October 13, 2004 |  |
|  |  |                                   |  |                  |  |

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60332273 v1

PTO/SB/17 (10-04)

# FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 215

## Complete if Known

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|----------------------|---------------------------|
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| Filing Date          | December 21, 2001         |
| First Named Inventor | Stepanlan, Christopher J. |
| Examiner Name        | Jennifer A. Boyd          |
| Art Unit             | 1771                      |
| Attorney Docket No   | 022024-000300US           |

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit  
Account  
Number

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Deposit  
Account  
Name

Townsend and Townsend and Crew LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

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| 1005         | 190      | 2005         | 90       | Provisional filing fee |          |

SUBTOTAL (1)

(\$)

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Total Claims       | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
|                    |              |                |          |
| Independent Claims |              |                |          |
| Multiple Dependent |              |                |          |

| Large Entity |          | Small Entity |          | Fee Description  |
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| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |  |
| 1202         | 18       | 2202         | 9        | Claims in excess of 20                                     |
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SUBTOTAL (2)

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\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

| Large Entity |          | Small Entity |          | Fee Description  | Fee Paid |
|--------------|----------|--------------|----------|--|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |  |          |
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| 1254         | 1,530    | 2254         | 765      | Extension for reply within fourth month                                    |          |
| 1255         | 2,080    | 2255         | 1,040    | Extension for reply within fifth month                                     |          |
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| 1403         | 300      | 2403         | 150      | Request for oral hearing   |          |
| 1451         | 1,510    | 1451         | 1,510    | Petition to institute a public use proceeding                              |          |
| 1452         | 110      | 2452         | 55       | Petition to revive - unavoidable   |          |
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| 1503         | 660      | 2503         | 330      | Plant issue fee  |          |
| 1480         | 130      | 1480         | 130      | Petitions to the Commissioner  |          |
| 1807         | 50       | 1807         | 50       | Processing fee under 37 CFR 1.17(q)  |          |
| 1808         | 180      | 1808         | 180      | Submission of Information Disclosure Stmt                                  |          |
| 8021         | 40       | 8021         | 40       | Recording each patent assignment per property (times number of properties) |          |
| 1509         | 790      | 2809         | 395      | Filing a submission after final rejection (37 CFR § 1.129(b))              |          |
| 1810         | 790      | 2810         | 395      | For each additional invention to be examined (37 CFR § 1.129(b))           |          |
| 1801         | 790      | 2801         | 395      | Request for Continued Examination (RCE)                                    |          |
| 1802         | 900      | 1802         | 900      | Request for expedited examination of a design application                  |          |


Other fee (specify)

\*Reduced by Basic Filing Fee Paid SUBTOTAL (3)

(\$215

## SUBMITTED BY

Complete (if applicable)

|                   |   |                                   |                  |           |              |
|-------------------|---|-----------------------------------|------------------|-----------|--------------|
| Name (Print/Type) | Kawal Lau   | Registration No. (Attorney/Agent) | 44461            | Telephone | 858-350-6100 |
| Signature         |  | Date                              | October 13, 2004 |           |              |

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OCT 13 2004

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Fax No. (703) 872-9306 on October 13, 2004.

AMENDMENT UNDER 37 CFR 1.116  
EXPEDITED PROCEDURE -  
EXAMINING GROUP 1771

TOWNSEND and TOWNSEND and CREW LLP

By: Camela Seltzer

PATENT

Attorney Docket No.: 022024-000300US

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Christopher J. Stepanian et al.

Application No.: 10/034,296

Filed: December 21, 2001

For: AEROGEL COMPOSITE WITH  
FIBROUS BATTING

Customer No.: 20350

Confirmation No. 9746

Examiner: Jennifer A. Boyd

Technology Center/Art Unit: 1771

AMENDMENT UNDER 37 CFR 1.116  
EXPEDITED PROCEDURE EXAMINING  
GROUP 1771

**Mail Stop AF**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

This is in response to the "final" Office Action mailed 28 May, 2004, which set 28 August 2004 as the initial deadline for response. Accordingly, a Petition for a two-month extension of time, until 28 October 2004, is enclosed herewith.

Claims 1-18 have been canceled and claims 19-48 remain pending.

Reconsideration in light of the following amendments and remarks is respectfully requested.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 6 of this paper.